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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA
BY *hgm*

5:18-cv-0296

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA

CLINTON STRANGE,

Plaintiff

v.

DIVERSIFIED CONSULTANTS, INC.,

Defendant

Civil Action:

Complaint for Violations of the:

Telephone Consumer Protection Act 47 U.S.C. § 227

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DEMAND FOR JURY TRIAL

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Preliminary Statement;

This is an action brought by an adult individual against Defendant Diversified Consultants, Inc. for violations of THE TELEPHONE CONSUMER PROTECTION ACT ("TCPA"), under U.S. Federal Statutes:

Telephone Consumer Protection Act 47 U.S.C. § 227 et seq.

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Jurisdiction of this court arises under:

47 U.S.C. § 227

Venue lies properly in this district pursuant to 28 U.S.C. § 1391

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PARTIES:

Plaintiff is an adult individual residing at 7021 Winburn Drive, Greenwood, LA 71033 within the Western District of Louisiana.

Defendant Diversified Consultants, Inc. is a For Profit Corporation that regularly conducts business in The Western District of Louisiana, and which has a principal place of business located at:

10550 Deerwood Park Blvd. # 309

Jacksonville, FL 32207

And whose registered agent is:

John Crawford, Esq.

1200 Riverplace Blvd. #800

Jacksonville, FL 32207

Factual Allegations:

1. Plaintiff has no Established Business Relationship "EBR" with the Defendant.
2. Plaintiff never consented to be contacted by the Defendant by any means.
3. Plaintiff has repeatedly asked "to be removed from" the Defendant's call list.
4. The Defendant originally began calling the Plaintiff's cell phone (318-780-8946) about DXXXXXXX AXXXXXX's (redacted for debtor's privacy) "personal matter".
5. According to a Telephone conversation with a Mr. Foster employed by the Defendant on 3-6-2018; The Plaintiff's cell phone number (318-780-8946) was still active in the Defendant's system on March 6th, 2018 for the purposes of collecting a debt from KXXXXXXX AXXXXXXX, and DXXXXXXX AXXXXXXX(redacted for the debtor's privacy); in spite of repeated requests both by phone, and Written correspondence to be removed from the Defendant's call list.
6. The Plaintiff continued to receive calls from the Defendant until February of 2018.
7. Some of the calls made by the Defendant to the Plaintiff were made using an automated system that on information and belief has the capacity to store or produce telephone numbers to be called, using a

random or sequential number generator(including but not limited to a predictive dialer) or an artificial pre-recorded voice; and to dial such numbers as specified by 47 U.S.C. 227 (a)(1) (herein after "autodialler calls"). Plaintiff will testify that he knew it was an autodialler because of the number of calls he received (on his cellphone 318-780-8946) and because he heard a pause when he answered his phone before a voice came on the line and also that he received prerecorded messages from Defendant.

8. Plaintiff Clinton Strange is a Natural person residing in Greenwood, LA 71033 within the Western District of Louisiana.

9. Plaintiff is the "called party". See *Breslow v. Wells Fargo Bank, N.A.*, 755 F.3d 1265 (11th Cir. 2014) and *Osorio v. State Farm Bank, F.S.B.*, 746 F.3d 1242 (11th Cir. 2014).

10. The autodialler calls from the Defendant were initiated from but not limited to 318-703-6316 & 318-703-6246

11. When the calls were answered as referenced in paragraph 10; they were answered by associates, and or employees of the Defendant.

12. Plaintiff does not know or currently know; nor has ever known the individuals that the Defendant was looking for during the campaign of its calls to the Plaintiff's cellular phone # 318-780-8946.

13. Defendant's corporate policy is structured to call and continue to call individuals like the Plaintiff despite these individuals explaining to the Defendant that they do not wish to be called.

14. Defendant has had numerous complaints against it from consumers across the country asking not to be called, however the Defendant continues to call these individuals.

15. At all times pertinent hereto Defendant was acting by and through their agents, servants and / or employees who were acting within the course and scope of their agency or employment, and under the direct supervision and control of the Defendant herein.

16. At all times pertinent hereto, the conduct of the Defendant, as well as that of their agents, servants and/ or employees was intentional, reckless, and in grossly negligent disregard for Federal Law and State Laws and the rights of the Plaintiff herein.

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Count 1:

(Plaintiff v. Diversified Consultants, Inc.)

1. Plaintiff incorporates the foregoing paragraphs as though the same were set forth at length herein.

2. At all times pertinent hereto , Defendant was a "person" as that term is defined by :

Telephone Consumer Protection Act 47 U.S.C. § 227 (b)(1)(a)

3. At all times pertinent hereto, Plaintiff was a person as that term is defined under:

Telephone Consumer Protection Act 47 U.S.C. § 227 (b)(1)(a)

4. Pursuant to:

Telephone Consumer Protection Act 47 U.S.C. § 227 (b)(1)(a)

, Defendant is liable to the Plaintiff for intentionally, willfully, and negligently failing to comply with the requirements of Federal and State Laws referenced herein.

5. Defendant is liable to the Plaintiff for the full amount of statutory, and punitive damages, along with the attorney's fees and cost of litigation, as well as such further relief, as may be permitted by law.

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Jury trial Demand;

Plaintiff demands trial by jury on all issues so triable.

Prayer for Relief;

WHEREFORE, Plaintiff seeks judgement in Plaintiff's favor and damages against the Defendant, based on the following requested relief:

Actual Damages;

Statutory Damages;

Treble Damages;

Punitive Damages;

Enjoinder from Further Violations of These Parts;

Costs and reasonable attorney's fees;

, and such other and further relief as may be necessary, just and proper.

Respectfully Submitted,

X Clinton Strange 3-7-2018

Clinton Strange

Pro-Se

7021 Winburn Drive

Greenwood, LA 71033

318-780-8946